

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

PCT

To:
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INVITATION TO PAY ADDITIONAL FEES

(PCT Article 17(3)(a) and Rule 40.1)

		Date of mailing (day/month/year)	01/09/2003
Applicant's or agent's file reference E-1639-03	PAYMENT DUE within 30 XXXXXX /days from the above date of mailing		
International application No. PCT/EP 03/ 50113	International filing date (day/month/year) 17/04/2003		
Applicant G.D. SOCIETA PER AZIONI			

1. This International Searching Authority

- (i) considers that there are 02 (number of) inventions claimed in the international application covered by the claims indicated ~~XXXXX~~on the extra sheet:

and it considers that the international application does not comply with the requirements of unity of invention (Rules 13.1, 13.2 and 13.3) for the reasons indicated ~~XXXXX~~on the extra sheet:

- (ii) has carried out a partial international search (see Annex) will establish the international search report on those parts of the international application which relate to the invention first mentioned in claims Nos.:

1-16

- (iii) will establish the international search report on the other parts of the international application only if, and to the extent to which, additional fees are paid

2. The applicant is hereby invited, within the time limit indicated above, to pay the amount indicated below:

EUR 945,00 x 01 = EUR 945,00
Fee per additional invention number of additional inventions total amount of additional fees

Or, _____ x _____ = _____

The applicant is informed that, according to Rule 40.2(c), the payment of any additional fee may be made under protest, i.e., a reasoned statement to the effect that the international application complies with the requirement of unity of invention or that the amount of the required additional fee is excessive.

3. Claim(s) Nos. _____ have been found to be unsearchable under Article 17(2)(b) because of defects under Article 17(2)(a) and therefore have not been included with any invention.

Name and mailing address of the International Searching Authority  European Patent Office, P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl, Fax: (+31-70) 340-3016	Authorized officer John Berry
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This International Searching Authority found multiple (groups of) inventions in this international application, as follows:

1. Claims: 1-16

Subject I (claims 1-16) relates to a method of packing packets of cigarettes with a sheet of packing material folded about an orderly group of packets of cigarettes to form a tubular wrapping having two tubular projecting portions. Each tubular projecting portion comprises four flaps, the outer flap having a portion bearing graphics. Furthermore, the flaps are sealed by melting the sheet of packing material to define at least one bead seal outwards the graphics.

2. Claims: 17-32

Subject II (claim 17-32) relates to a sheet of packing material comprising a central panel and two lateral panels, each lateral panels having slits dividing the lateral panels into adjacent portions in order to define flaps.

The I.S.A. has carried out a partial search which relates to the invention I mentioned above.

The applicant is invited to pay 1 additional search fee for the invention II.

The reasons for which the present application has been deemed to contain 2 inventions which are not linked such that they form a single general inventive concept, as required by Rules 13.1, 13.2 and 13.3, PCT are as follows

Two groups of claims, claims 1-16 (subject I) and claims 17-32 (subject II), relate to different subjects which do not present a single inventive concept; in other words, these two groups of claims solve two different problems by means of non-corresponding special technical features.

The only common feature between the two subjects is a sheet of packing material being made of transparent heat-seal packing material which is folded about an orderly group of packets of cigarettes in order to form a tubular wrapping, the tubular wrapping having two projecting tubular portions comprising flaps.

Such a sheet of packing material is known in the prior art, see document US 4 784 261 A, (column 2, line 19 to column 34 and figures 2 and 3).

Therefore, such a sheet of packing material cannot be considered as a special technical feature.

Although claim 17 discloses a sheet for implementing the method of packing packets of cigarettes as claimed in any one of claims 1 to 16, the sheet of packing material used in claim 1 is not specifically identified as being the same one as defined in claim 17 and sheets of

packing material which do not comprise lateral panels having slits dividing the lateral panels could be used in the method of claim 1.

The two subjects and the problems solved by these two groups of claims are as follows :

Subject I (claims 1-16) relates to a method of packing packets of cigarettes with a sheet of packing material folded about an orderly group of packets of cigarettes to form a tubular wrapping having two tubular projecting portions. Each tubular projecting portion comprises four flaps, the outer flap having a portion bearing graphics. Furthermore, the flaps are sealed by melting the sheet of packing material to define at least one bead seal outwards the graphics. The problem solved by these claims is to provide a bead seal that does not interfere with the graphics.

Subject II (claim 17-32) relates to a sheet of packing material comprising a central panel and two lateral panels, each lateral panels having slits dividing the lateral panels into adjacent portions in order to define flaps. The problem solved by these claims is to improve the covering of the two outside end faces of the group of packets or cigarettes.

Since the problems to be solved are different and the special technical features which solve the two problems are different, the two groups of claims cannot be considered as comprising one or more of the same or corresponding special technical features and thus the application does not fulfil the requirement of unity of invention.

Consequently, neither the objective problem underlying the subjects of the two claimed inventions, nor their solutions defined by the special technical features allow for a relationship to be established between the said inventions, which involves a single general inventive concept.

In conclusion, therefore, the two groups of claims are not linked by common or corresponding special technical features and define two different inventions not linked by a single general inventive concept. The application, hence does not meet the requirements of Unity of Invention as defined in Rule 13(1) & (2)PCT.

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**Annex to Form PCT/ISA/206
COMMUNICATION RELATING TO THE RESULTS
OF THE PARTIAL INTERNATIONAL SEARCH**

International Application No

PCT/EP 03/50113

1. The present communication is an Annex to the invitation to pay additional fees (Form PCT/ISA/206). It shows the results of the international search established on the parts of the international application which relate to the invention first mentioned in claims Nos.:

- 1-16
2. This communication is not the international search report which will be established according to Article 18 and Rule 43.
 3. If the applicant does not pay any additional search fees, the information appearing in this communication will be considered as the result of the international search and will be included as such in the international search report.
 4. If the applicant pays additional fees, the international search report will contain both the information appearing in this communication and the results of the international search on other parts of the international application for which such fees will have been paid.

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category °	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 4 784 261 A (KUTCHIN SIDNEY W) 15 November 1988 (1988-11-15) page 2, line 19 -page 3, line 40; figures ---	1-3
A	US 3 809 227 A (BEGEMANN C) 7 May 1974 (1974-05-07) figures ---	1
A	US 3 051 305 A (HOULE JAMES A) 28 August 1962 (1962-08-28) figures ---	1
A	US 3 278 016 A (CONTI JOHN D) 11 October 1966 (1966-10-11) figures ---	1
A	US 3 027 998 A (RIDGWAY ROBERT J) 3 April 1962 (1962-04-03) figures -----	1

Further documents are listed in the continuation of box C.

Patent family members are listed in annex.

* Special categories of cited documents :

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

T later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

X document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

Y document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more others such documents, such combination being obvious to a person skilled in the art.

& document member of the same patent family

Patent Family Annex

Information on patent family members

International Application No

PCT/EP 03/50113

Patent document cited in search report		Publication date	Patent family member(s)		Publication date
US 4784261	A	15-11-1988	NONE		
US 3809227	A	07-05-1974	SU ZA	505342 A3 7307843 A	28-02-1976 28-08-1974
US 3051305	A	28-08-1962	NONE		
US 3278016	A	11-10-1966	NONE		
US 3027998	A	03-04-1962	NONE		

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